

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
JUNE 16, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCILMEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Commissioner of Deeds
- 2 - Reappointing Eugene R. Renzi, Part-Time City Court Judge for the City of Watertown
- 3 - Designating WSB Municipal Bank as A Depository For City Funds
- 4 - Authorizing the Sale of Surplus Equipment at Public Auction and Approving Consignment Contract
- 5 - Accepting Bid for Ready Mix Concrete, Watertown Concrete, Inc.
- 6 - Accepting Bid for Dry Polymer – Wastewater Treatment Plant
- 7 - Authorizing the Economic Development Service Agreement Between the City of Watertown and the Empire Zone Administrative Board
- 8 - Approving Agreement for Public Benefit Services Between The City of Watertown and the Community Action Planning Council of Jefferson County, Inc.
- 9 - Approving Franchise of Fairgrounds Ice Arena Concession Stand, Watertown Hockey Association and the Figure Skating Club of Watertown
- 10 - Approving Agreement Between the City of Watertown and The Thompson Park Conservancy
- 11 - Amending City Municipal Code §293-61, Schedule XIII, Parking Prohibited at All Times
- 12 - Public Hearing – 7:30 p.m.- Local Law No. 1 of 2008 Amending Section 253-17 of The City of Watertown Code of Watertown to Provide for Change in Sewer Service Charge
- 13 - TABLED – Resolution – Approving Employee Assistance Program Service Agreement, Northern Employee Assistance Services
- 14 - CEDAP Grant Application Request
- 15 - Fact Sheet – Sewall’s Island Site Remedial Investigation
- 16 - 2008 Spring Cleanup Program
- 17 - Monthly Financial Report

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of June 2, 2008 and the adjourned meeting of June 2, 2008 was dispensed with and accepted as written by motion of Council Member Clough, seconded by Council Member Smith and carried with all voting in favor thereof.

COMMUNICATIONS

From Major James Baker requesting support for the Brigade Combat Team's last large scale training event prior to their deployment. The event is a battle simulation exercise in which the battalions rotate through a week-long training lane. Council's support as Provincial Reconstruction Team Members will be vital to the training mission. Training will take place the week of August 11th.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Major James Baker addressed the chair concerning the request for Council to act as Provincial Reconstruction Team Members for the training event scheduled for the week of August 11th.

Mayor Graham advised that Council Members were in receipt of the letter and individual members could participate at some level to be helpful. Mrs. Corriveau will coordinate the Council's participation and the City will be back in touch with Major Baker.

S.G. Gates, 157 Dorsey Street, addressed the chair concerning the fact that he wasn't happy with the Council not supporting the dog park as he has a fund raising event scheduled for June 28th. He stated that after the headlines in the newspaper "Dog Park Dashed", businesses that were willing to donate before stated that they wouldn't donate because the dog park isn't going to happen. He thanked Mayor Graham and Council Member Butler for their support. Mr. Gates also commented that he had turned in petitions with hundreds of names and then was told that petitions don't do anything. He stopped gathering names and then was told that if there were 1,000 signatures that might show community support.

Mayor Graham responded that at this point in time, this City Council has decided in favor of another direction. He stated that we can't keep doing this every week and we can't keep replowing the same ground.

Toni LaClair, 15854 Military Road, Sackets Harbor, addressed the chair stating that she had phoned Council Members and only got their answering machines. She stated that she is a dog park supporter.

Carmen Dickson, 120 William Street, addressed the chair presenting a petition from the neighbors who are opposed to the property at 114 William Street being rezoned for any commercial purposes.

PUBLIC HEARING

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 1 OF 2008, A LOCAL LAW AMENDING SECTION 253-17 OF THE CODE OF THE CITY OF WATERTOWN TO PROVIDE FOR CHANGE IN SEWER SERVICE CHARGE.

MAYOR GRAHAM OPENED THE PUBLIC HEARING.

No one spoke.

MAYOR GRAHAM CLOSED THE PUBLIC HEARING.

R E S O L U T I O N S

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2008:

Jacob W. Bull
Aaron P. Orsini
Charles L. Bickel III
Christopher R. Aher
Joseph A. Giaquinto
George A. Cummings
Elizabeth M. Lewis

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED by the City Council of the City of Watertown, New York that Eugene R. Renzi is hereby reappointed as Part-Time City Court Judge for the City of Watertown for a six year term, which term commences immediately and expires on July 15, 2014.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Mrs. Corriveau advised the Council that Mr. Renzi had phoned her and expressed his desire to continue to serve. Due to a schedule conflict, he was not able to attend this evening's meeting.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS Watertown Savings Bank and Redwood National Bank merged June 13, 2008 and,

WHEREAS Watertown Savings Bank received approval to convert the Redwood Bank Charter to the Watertown Savings Bank subsidiary known as WSB Municipal Bank which can accept municipal deposits and,

WHEREAS General Municipal Law General Municipal Law Article 2 Section 10.2.a requires each governing board designate the depositories of public funds and specify the maximum amount that may be kept on deposit at any time within each bank it designates,

NOW THEREFORE BE IT RESOLVED that WSB Municipal Bank be designated as a depository of the City of Watertown, New York and

BE IT FURTHER RESOLVED that WSB Municipal Bank be required to either execute a bond, deliver to the City of Watertown, New York approved collateral or to deposit at a mutually agreed upon depository approved collateral of a value up to FIFTEEN MILLION DOLLARS (\$15,000,000).

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City of Watertown has inventoried equipment owned by the City, and various departments have determined that certain equipment is surplus to our needs and have provided City Purchasing Agent Robert J. Cleaver with a listing of the items they believe are surplus, a copy of which is attached and made a part of this resolution, and

WHEREAS these pieces of equipment have some value best determined by public auction, and

WHEREAS Roy Teitsworth, Inc., Professional Auctioneers, will hold a public auction on Saturday, June 21, 2008, at the Municipal Fairgrounds, and

WHEREAS Roy Teitsworth, Inc., of Geneseo, New York has agreed to provide auctioneer services for the City of Watertown for 10% commission, with a \$5.00 minimum commission per item, and

WHEREAS City Purchasing Agent Robert J. Cleaver is recommending that the City Council approve the sale, by auction, of the listed equipment and that Roy Teitsworth, Inc., be hired to assist the City with said auction,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by auction, of surplus equipment, and to further declare all bids final and sales complete while said auction is conducted, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council, and

BE IT FURTHER RESOLVED that the City Council approves the Consignment Contract with Roy Teitsworth, Inc., Geneseo, New York, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Consignment Contract on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready Mix Concrete for use by all City Departments during Fiscal Years 2008-2009, and

WHEREAS invitations to bid were issued to three (3) prospective bidders with two (2) bids received and publicly opened and read in the City Purchasing Department on Tuesday, June 10, 2008, at 10 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received and it is his recommendation that the City Council accept the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed below:

4000 lb. Coarse	\$86.00/cubic yard
4000 lb. Fine Mix	\$86.00/cubic yard
5000 lb. Fine Mix	\$89.00/cubic yard

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed above, for the purchase of crushed gravelstone for use by all City Departments.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Purchasing Department has advertised and received sealed Bids for the purchase of Dry Polymer for use at the City's Wastewater Treatment Plant, for the City's 2008-2010 annual requirements, and

WHEREAS invitations to bid were issued to seven (7) prospective bidders with two (2) bids being received, and

WHEREAS on Tuesday, May 20, 2008, at 11 a.m., in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Michael J. Sligar, Chief Plant Operator, and he is recommending that the City Council accept the bid from Jes-Chem Ltd., 3 Berkley Place, Guelph, Ont., Canada as detailed below:

DRY POLYMER PAM C-49 \$1.73/lb. Delivered for the 2008-09
Fiscal Year

PAM-C453 \$1.73/lb. Delivered for the 2008-09
Fiscal Year

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Jes-Chem Ltd., 3 Berkley Place, Guelph, Ontario, Canada, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Dry Polymer for use at the City's Wastewater Treatment Plant.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS New York State has designated a portion of the Town of Watertown and the City of Watertown as an Empire Zone, and

WHEREAS the Empire Zone Administrative Board has been named by the City Council of the City of Watertown, pursuant to the legislative requirements of the Empire Zone Program, to oversee Zone activities, and

WHEREAS the City of Watertown is committed to funding a portion of the local match required to receive administrative funds from New York State,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the Agreement for Economic Development Services between the Empire Zone Administrative Board and the City of Watertown is hereby approved, a copy of said Agreement is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH

ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the Community Action Planning Council of Jefferson County (CAPC) was incorporated and designated in 1967 as the official anti-poverty agency for Jefferson County, and

WHEREAS since that time, CAPC has received funds from local governments as the local share required to leverage State and Federal program service dollars, and

WHEREAS the services provided by the CAPC promotes a public purpose, and

WHEREAS the services promote the education, charity, health, safety and welfare of the citizens of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Public Benefit Services between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City of Watertown owns and operates an Arena at the Alex T. Duffy Fairgrounds, and

WHEREAS City Council of the City of Watertown desires to enter into a Franchise Agreement for the operation of the Farigrounds Ice Arena Concessions, and

WHEREAS the Watertown Hockey Association and the Figure Skating Club of Watertown have expressed their desire to continue to operate the concessions at the Ice Arena under a Franchise with the City,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Franchise Agreement among the City of Watertown, the Watertown Hockey Association and the Figure Skating Club of Watertown, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute a Franchise Agreement among the City of Watertown, the Watertown Hockey Association and the Figure Skating Club of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the “Thompson Park Zoo” by Lease dated December 1997, and

WHEREAS since that time, the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to be used to improve the leased premises as detailed in the attached Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and the Thompson Park Conservancy, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

MOTION WAS MADE BY COUNCIL MEMBER BURNS TO TAKE FROM THE TABLE THE RESOLUTION “APPROVING EMPLOYEE ASSISTANCE PROGRAM SERVICE AGREEMENT, NORTHERN EMPLOYEE ASSISTANCE SERVICES”

(Introduced on June 2, 2008; tabled; appears in its entirety on page 136 of the 2008 Minutes Book)

MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Burns remarked that while she feels this type of program is beneficial to the employees, she is not sure that this particular one is the route the City needs to take. She explained that she would support the resolution as it is for six months.

Council Member Smith remarked that this is the type of program that we need for employees and family members. However, if the City could work something out for cost per employee that use the services.

Mrs. Corriveau explained that staff would like to research opportunities that might be available for other ways of providing the services.

Council Member Butler asked how the utilization rate was arrived at. He remarked that the utilization indicates that the contract is costing \$150 per use instead of \$25 per person. The City is fronting the money, but not getting the value back. He stated that while this is a needed service, perhaps the City should pay on a case by case basis.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ORDAINED that Chapter 293 of the City Code of the City of Watertown is amended to delete the following:

§ 293-61. Schedule XIII. Parking Prohibited at All Times

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
North Indiana Avenue	East	From Ohio Street to Gill Street

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY MOTION OF COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

LOCAL LAW

LOCAL LAW NO. 1 OF 2008 WAS PRESENTED TO COUNCIL “ A LOCAL LAW AMENDING SECTION 253-17 OF THE CODE OF THE CITY OF WATERTOWN TO PROVIDE FOR CHANGE IN SEWER SERVICE CHARGE(Introduced on June 2, 2008; public hearing held this evening; appears in its entirety on page 133 of the 2008 Minutes Book).

Prior to the vote on the Local Law, Mayor Graham commented that Council should look ahead to eliminate the 4th tier in an effort to compress the difference between the lowest and highest tiers in the coming years.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH A LL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

CEDAP Grant Application Request

Council Member Clough remarked that he didn't understand why we would be looking at this equipment as this is for regional response.

Chief Gaumont explained that this would be used for responses when it involves unknown chemicals. This is at no cost to the City. It is equipment that is sent to us by FEMA. They will supply the local training at no cost.

Council Member Smith asked who would reimburse the City for overtime if used regionally.

Chief Gaumont explained that the City assists through mutual aid contract now. However, this grant would not cover backfilling costs.

Council Member Smith remarked that he applauds Chief Gaumont's efforts to find grants. However, this is something the County should have applied for. He asked what would happen when the equipment wears out and questioned who would replace it and who would reimburse City taxpayers.

Chief Gaumont advised that HAZMAT is billed to the spiller for reimbursement. He stated that the City would be asking for equipment and when it wears out, it wears out. He explained that this could be used to assist the Police Department with drug labs and is an outstanding opportunity for the City.

Council Member Clough asked why the County Fire Coordinator didn't apply for it.

Chief Gaumont explained that he is not eligible to because it has to be a Fire Department or a Police Department.

Mrs. Corriveau explained that part of the reason the City makes applications for these grants is because we have a full time staff. If it is something that protects employees and saves lives in the community, we should look at it.

Council Member Clough remarked that when it takes overtime to respond, it is still the City paying for it.

Council Member Smith asked if something could be worked into the contract whereby the City is reimbursed for specialized assistance.

Mayor Graham asked if the Council has to give approval to grant applications.

Mrs. Corriveau explained that grant applications are given to Council to review because there might be costs associated with them.

Mayor Graham commented that he had no problem applying or with the regional concerns. However he remarked that he thinks FEMA is engaged in fiscal buffoonery at times.

Council Member Clough asked if this would be sent out with the drug task force each time they have a drug bust.

Chief Gaumont explained that this would only be used in meth lab situations.

Mrs. Corriveau explained that she believes that the drug task force would also get training on the equipment.

Council Member Burns remarked that she has a high confidence level in the local police agencies and would support the grant because the Fire and Police Departments can use it. Even though there might be a cost down the road, it could be used as a tool to cover a serious situation.

Council Member Smith responded that his concern is it is great that we provide regional services, but there is no pay back to the City.

Council Member Butler asked where it would go regionally and if it would leave the County.

Chief Gaumont responded that if FEMA indicated it was needed some place else, it would be packed up and sent there.

Council Member Butler commented that the City seems to be shouldering the burden for a lot of equipment that should be done by the County.

Council Member Smith questioned why other items on the list hadn't been selected and asked about the hydraulic rescue system.

Chief Gaumont advised that the City already has that.

MOTION WAS MADE BY MAYOR GRAHAM TO AUTHORIZE CHIEF GAUMONT TO APPLY FOR THE CEDAP GRANT.

MOTION WAS SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Sewall's Island Site Fact Sheet

Mayor Graham referred to this.

Mrs. Corriveau advised that DEC is looking for comments.

Mayor Graham remarked that his comment would be to get this moving. He stated that DEC doesn't realize that there is also visual pollution. The fact that there is a speck of oil from 1948 is less important than the visual pollution there. Now, DEC wants public comment. He remarked that unless you eat off the ground, you don't have to worry about what's in it.

Spring Cleanup Program

Council Member Clough asked that Mr. Hayes look into holding the fall cleanup a little earlier in the fall.

Dog Park

Council Member Burns commented that she had received 3 phone calls in support of the dog park. Two of the calls were from non-city residents. She advised that more folks told her that Council had made the right decision.

Council Member Clough said that he had received the same 3 calls.

Council Member Smith commented that if they want to build a dog park, they could approach the City about buying land to put it on.

Girard Avenue & S. Pearl Avenue

Council Member Smith remarked that he had received a call about the condition of Girard Avenue. He questioned when the street was set to be paved. He also commented that S. Pearl Avenue is in terrible condition also.

Bus Transportation

Mayor Graham commented that St. Lawrence County is applying for a grant to ferry people down here and employers are now having problems since people want to live in the middle of nowhere. He commented that, after hearing various discussions, a lot of things might come together and he is hoping that it is done in a cohesive manner and not piece meal.

Burdick Street Rail Crossing

Council Member Clough commended the DPW crews for the work they did on this.

Public Square Work

Council Member Clough commented that the downtown project is really moving ahead now.

Mrs. Corriveau advised that the boxing out should be completed this week.

Mr. Lumbis addressed the chair explaining about the repairs to the fountain's bowl. The limestone coping stones are badly deteriorated. Replacement limestone would cost over \$100,000. Cast concrete can be used to replicate the limestone and with labor the costs will be between \$15,000 and \$18,000.

Council Member Butler asked if private contributions could be made to fund the cost of using actual limestone. Names of donors could be placed on them.

Council Member Burns responded that she has concerns with putting business names on them for advertising and tax write offs.

Council Member Clough remarked that for the price, we should move forward with the cast concrete.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR CITY EMPLOYEE.

MOTION WAS SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Council moved into Executive Session at 7:53 p.m.

Council reconvened at 8:42 p.m.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:42 P.M.
BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL
MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton
City Clerk